

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 05-11745RWZ

BARBARA DEIGHTON HAUPT, Trustee of
BD REALTY TRUST,

Plaintiff

v.

TOWN OF WAREHAM acting by and
through the BOARD OF SELECTMEN OF
THE TOWN OF WAREHAM, and the
BOARD OF SELECTMEN OF THE TOWN
OF WAREHAM,

Defendants

DEFENDANTS' PROPOSED VOIR DIRE
QUESTIONS TO BE SUBMITTED TO THE
JURY

Now come the defendants in the above captioned matter and hereby respectfully propose the following voir dire questions for submission to the jury:

1. Does any member of the jury panel know any of the parties or witnesses in this case?
2. Has any member of the jury panel ever been a party to a lawsuit involving a claim for damages in an eminent domain action?
3. Does any member of the jury panel hold strong views regarding the appropriateness of allowing a municipality or other governmental agency to acquire private property by eminent domain, which would prevent you from judging fairly the claims in this litigation?
4. The facts underlying this case have received publicity in the local news media. Has any member of the jury panel been made familiar with the facts of this case by that publicity or in any other manner?

5. Is there any member of the jury panel who believes it is inappropriate for a municipality to exercise its eminent domain power to acquire property for recreational use?
6. Has any member of the jury panel ever had any property taken from them by eminent domain?
7. Does any member of the jury panel have an immediate relative who has had property taken from them by eminent domain?
8. Has any member of the jury panel been involved in any claims challenging a local, state or federal environmental regulation?
9. Has any member of the jury panel ever sued a governmental entity or official?
10. Has any member of the jury panel ever been a witness in a law suit against a government entity or official?

DEFENDANTS,

By their attorneys,

/s/ Jeffrey T. Blake

Richard Bowen (BBO# 552814)

Jeffrey T. Blake (BBO# 655773)

Kopelman and Paige, P.C.

Town Counsel

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